



**Public Notice of Final Settlement
The Ensign-Bickford Company (Trojan Plant)
Groundwater Cleanup
February, 2007**

The Executive Secretary of the Utah Water Quality Board and the Natural Resources Trustee for Utah have reached final agreement on two settlements with The Ensign-Bickford Company (EBCo) regarding cleanup of groundwater contamination in the Mapleton, Utah area. This notice is provided to inform the public of the agreements which were signed final on January 30, 2007.

Negotiated by the State of Utah and EBCo, the settlements address clean up and settlement of the State's claim for damages to groundwater resulting from activities at the EBCo Trojan facility in Spanish Fork.

The agreements include \$9.375 million in financial assurance for pumping and treating the groundwater and a \$2.58 million trust fund for natural resource damage (NRD). The trust fund will be used to "restore, replace, or acquire the equivalent" of the lost water for the benefit of the public in the impacted area.

After considering public comment, two modifications have been made to the agreements as originally proposed. First, the financial assurance provision for the \$9.375 million has been changed from a corporate guarantee to an irrevocable letter of credit for the entire amount. Second, the provision requiring a three-year period for use of the \$2.58 million trust fund only for projects jointly proposed by a purveyor of municipal water and EBCo has been eliminated.

Federal and state laws give the Utah Department of Environmental Quality (DEQ) Executive Director, as Trustee, the authority to file a claim when a natural resource of the State is damaged. State law also gives authority to the Utah Water Quality Board to require corrective action for contamination of waters of the State, to include groundwater.

PUBLIC RECORDS:

The final signed agreements, the Response to Comments, and Corrective Action Plan are available for review on line at <http://www.deq.utah.gov/Issues/EBCo/index.htm>. Documents can also be reviewed Monday through Friday during business hours at the following locations:

Mapleton City Offices
125 W. 400 N., Mapleton

Camille Brown, (801) 489-5655 ext. 106

Utah Division of Water Quality
288 N. 1460 West, Salt Lake City

Jeff Studenka, (801) 538-6779

QUESTIONS?

For more information about the NRD claim and trust fund, call Dianne Nielson at 536-4402. For questions about the project or the agreements, call Jeff Studenka at 538-6779.